

United States Courts
Southern District of Texas
FILED

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July 02, 2024

Nathan Ochsner, Clerk of Court

SEALED

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

FELONY

**INDICTMENT FOR VIOLATIONS OF THE FEDERAL
CONTROLLED SUBSTANCES ACT AND FEDERAL GUN CONTROL ACT**

UNITED STATES OF AMERICA

*

CRIMINAL NO.

24-00134

v.

*

SECTION:

SECT. DMAG.2

*

**ANDRE LEE
PERCY HOWARD
JUSTIN HEIMS
KHILLUN CHEATHAM
a/k/a "Chuck"
TORREZ DRANE
a/k/a "Toe"
LEROY OTERO**

*

VIOLATIONS:

**21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)
21 U.S.C. § 843(b)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(a)(8)
18 U.S.C. § 2**

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4:24-mj-300

The Grand Jury charges that:

COUNT 1

**(Conspiracy to Distribute and Possess with the
Intent to Distribute Methamphetamine)**

Beginning at a time unknown but prior to August 2022, and continuing to on or about the date of this Indictment, in the Eastern District of Louisiana and elsewhere, the defendants,

Fee _____
Process _____
X Dktd _____
CtRmDep _____
Doc.No. _____

ANDRE LEE, PERCY HOWARD, JUSTIN HEIMS, KHILLUN CHEATHAM, a/k/a “Chuck,” TORREZ DRANE, a/k/a “Toe,” and LEROY OTERO, did knowingly and intentionally combine, conspire, confederate and agree with each other and with other persons known and unknown to the Grand Jury, to distribute and to possess with the intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers and 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, both Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A); all in violation of Title 21, United States Code, Section 846.

COUNT 2

(Distribution and Possession with the Intent to Distribute Methamphetamine)

On or about April 10, 2023, in the Eastern District of Louisiana, and elsewhere, the defendants, **ANDRE LEE** and **PERCY HOWARD**, did knowingly and intentionally distribute and possess with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and Title 18, United States Code, Section 2.

COUNT 3

(Distribution of Methamphetamine)

On or about May 8, 2023, in the Eastern District of Louisiana, the defendant, **ANDRE LEE** and **JUSTIN HEIMS**, while aiding and abetting each other, did knowingly and intentionally distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and Title 18, United States Code, Section 2.

COUNT 4

(Possession with the Intent to Distribute Methamphetamine)

On or about August 16, 2023, in the Eastern District of Louisiana, the defendant, **ANDRE LEE**, did knowingly and intentionally possess with the intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 5

(Illegal use of a Communication Facility)

On or about December 26, 2023, in the Eastern District of Louisiana, the defendant, **ANDRE LEE**, did knowingly and intentionally use a communication facility, to wit: a telephone, in committing, causing, and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, to wit: conspiracy to possess with the intent to distribute a quantity of methamphetamine, a Schedule II controlled substance; all in violation of Title 21, United States Code, Section 843(b).

COUNT 6

(Attempted Possession with the Intent to Distribute Methamphetamine)

On or about January 24, 2024, in the Eastern District of Louisiana, and elsewhere, the defendant, **TORREZ DRANE, a/k/a "Toe,"** did knowingly and intentionally possess with the intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846.

COUNT 7

(Attempted Possession with the Intent to Distribute Methamphetamine)

On or about March 27, 2024, in the Eastern District of Louisiana, and elsewhere, the defendant, **PERCY HOWARD**, did knowingly and intentionally attempt to possess with the

intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.

COUNT 8
(Illegal use of a Communication Facility)

On or about April 9, 2024, in the Eastern District of Louisiana, the defendants, **ANDRE LEE** and **PERCY HOWARD**, did knowingly and intentionally use a communication facility, to wit: a telephone, in committing, causing, and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, to wit: conspiracy to possess with the intent to distribute a quantity of methamphetamine, a Schedule II controlled substance; all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

COUNT 9
(Illegal use of a Communication Facility)

On or about May 6, 2024, in the Eastern District of Louisiana, and elsewhere, the defendants, **PERCY HOWARD** and **LEROY OTERO**, did knowingly and intentionally use a communication facility, to wit: a telephone, in committing, causing, and facilitating the commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, to wit: conspiracy to possess with the intent to distribute a quantity of methamphetamine, a Schedule II controlled substance; all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

COUNT 10
(Illegal use of a Communication Facility)

On or about May 6, 2024, in the Eastern District of Louisiana, the defendants, **PERCY HOWARD** and **KHILLUN CHEATHAM, a/k/a "Chuck,"** did knowingly and intentionally use a communication facility, to wit: a telephone, in committing, causing, and facilitating the

commission of a violation of Title 21, United States Code, Sections 841(a)(1) and 846, to wit: conspiracy to possess with the intent to distribute a quantity of methamphetamine, a Schedule II controlled substance; all in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

COUNT 11
(Possession with the Intent to Distribute Methamphetamine)

On or about May 16, 2024, in the Eastern District of Louisiana, and elsewhere, the defendants, **PERCY HOWARD** and **KHILLUN CHEATHAM, a/k/a "Chuck,"** did knowingly and intentionally possess with the intent to distribute 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and Title 18, United States Code, Section 2.

COUNT 12
(Felon in Possession of Firearms and Ammunition)

On or about the May 16, 2024, in the Eastern District of Louisiana, the defendant, **PERCY HOWARD**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: a conviction on July 14, 2017, in St. Mary's Parish, under Case Number 2017-199192, for Possession with the Intent to Distribute Methamphetamine, in violation of La.R.S. 40:967, did knowingly possess firearms and ammunition, to wit: a Glock Model 19, 9mm semi-automatic firearm, with a high-capacity magazine, bearing serial number BTXC963; an Aero Precision LLC, 9mm black short-barreled rifle with collapsible stock, bearing serial number SF-010487; a black Taurus Model Judge revolver, .45LC/410 GA, bearing serial number BR613880; a Stevens Model Favorite, .22 caliber, single shot pistol, bearing serial number P78; and a Cobray Model Leinad, .380 ACP,

submachine gun, bearing serial number PM12; said firearms and ammunition having been in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8).

NOTICE OF FORFEITURE

1. The allegations of Counts 1 through 12 of this Indictment are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offenses alleged in Counts 1 through 11, the defendants, **ANDRE LEE, PERCY HOWARD, JUSTIN HEIMS, KHILLUN CHEATHAM, a/k/a "Chuck," TORREZ DRANE, a/k/a "Toe," and LEROY OTERO**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses.

3. As a result of the offense alleged in Count 12, the defendant, **PERCY HOWARD** shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in the commission of said offense, including but not limited to any of the following:

Glock Model 19, 9mm semi-automatic firearm, bearing serial number BTXC963;

Aero Precision LLC, 9mm black short-barreled rifle with collapsible stock, bearing serial number SF-010487;

Black Taurus Model Judge, revolver .45LC/410 GA, bearing serial number BR613880;

Stevens Model Favorite, .22 caliber, single shot pistol, bearing serial number P78;

Cobray Model Leinad, .380 ACP, submachine gun, bearing serial number PM12;

Unknown quantity of 9mm ammunition; and
several high-capacity magazines.

4. If any of the above-described property, as a result of any act or omission of the defendants:

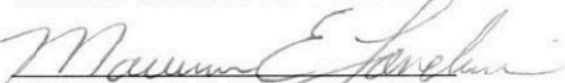
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficult;

the United States shall seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendants up to the value of said property.

A TRUE BILL:



DUANE A. EVANS
UNITED STATES ATTORNEY


MAURICE E. LANDRIEU, JR.
Assistant United States Attorney

New Orleans, Louisiana
May 30, 2024

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Louisiana
Criminal Division

THE UNITED STATES OF AMERICA

vs.

**ANDRE LEE, PERCY HOWARD,
JUSTIN HEIMS, KHILLUN CHEATHAM a/k/a "Chuck",
TORREZ DRANE a/k/a "Toe", LEROY OTERO**

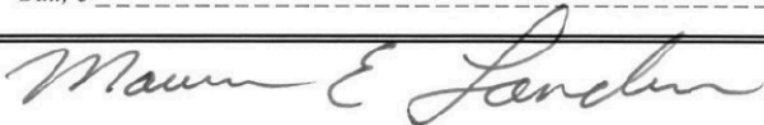
**INDICTMENT FOR VIOLATIONS OF
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ACT AND THE FEDERAL GUN CONTROL ACT**

VIOLATION: 21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(A)
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21 U.S.C. § 843(b)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(a)(8)
18 U.S.C. § 2

Filed in open court this _____ day of _____
A.D. 2024.

Clerk

Bail, \$ _____



MAURICE E. LANDRIEU, JR.
Assistant United States Attorney